

REMARKS

37 C.F.R. § 1.121

The Examiner has expressed the view that the amendment to claims 1-112 filed May 24, 2004 fails to comply with the provisions of 37 C.F.R. § 1.121, based on the Examiner's view that due to the text at the top of the first page of the claims, the claim set is not a "clean version" as required by 37 C.F.R. § 1.121(c)(3).

Applicant respectfully submits that the previous amendment filed May 24, 2004, which followed the USPTO's officially recommended amendment format published on the USPTO's web-site at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtpr ac.pdf>, complies with the requirements of 37 C.F.R. § 1.121.

Nevertheless, to expedite the allowance of the present application, Applicant has enclosed on pages 2-18 of this paper, a revised version of the previous amendment in which the claims start on a new sheet and are separated from the preceding text by a page break, as suggested by the Examiner. Applicant therefore respectfully submits that the enclosed amended claim set complies with 37 C.F.R. § 1.121.

Statement of Substance of Interview

Applicant wishes to thank the Examiner for the courtesies extended during the telephone conversation with Applicant's Canadian agent, Stephen J. Ferance, Reg. No. 48,090, on August 16, 2004. (The applicant Roger S. Vickers has moved from Los Altos, California to Abbotsford, British Columbia, Canada).

During the aforementioned telephone conversation, the nature of the Examiner's formalities objection under 37 C.F.R. § 1.121 was discussed. The Examiner pointed out that the USPTO's officially recommended amendment format does not have the force of law, and maintained the view that the format employed in the previous response filed May 24, 2004 does not comply with